**Archbright™**

**Insights Newsletter**

**August 2016**

**Introducing the Management Academy**

For companies ready to take the next step in the development of their management teams, Archbright University is excited to offer the Management Academy. This cohort learning program is designed to develop effective workplace leaders and is powered by Development Dimensions International (DDI).

Participants in Archbright’s Management Academy will join a small group of peers to complete six key leadership courses:

* Building and Sustaining Trust
* Addressing Poor Performance
* Driving Change
* Maximizing Team Performance
* Accelerating Business Decisions
* Adaptive Leadership

These ½-day classes occur over a 3-month period and include prep work, ongoing action items, peer check-ins, and on-demand virtual reinforcement activities. As learners move through the curriculum with a consistent peer group, they engage in enriching discussions with classmates from a diverse range of industries and professional roles.

This is a terrific opportunity to empower managers, cultivate leadership, and make a lasting impact in your organization. For more, visit archbright.com, call 206.329.1120, or 509.381.1635.

**EEOC Tackles the Persistent Problem of Workplace Harassment**

Struck with the realization that harassment cases continue to surface year after year despite the fact employer legal liability was established more than 5 years ago, the Equal Employment Opportunity Commission (EEOC) decided to delve into this conundrum.

A year ago it launched a task force to study the causes and effects of unlawful harassment, to understand why it often goes unreported, and to formulate better prevention techniques to deter it. In the final report, the task force identified the following risk areas for harassment to help employers counteract problems before they start.

1. **Homogenous workforces.** Harassment can be more prevalent where there is a lack of diversity in the workplace.
2. **Workplaces where some workers do not conform to workplace norms.** A disabled worker may elicit ridicule or harassment for being perceived as “different.”
3. **Cultural and language differences.** Harassment is more likely to occur in workplaces with large groups of people from differing cultures or nationalities.
4. **Coarse social discourse outside the workplace.** Events occurring outside the workplace may make harassment inside the workplace perceived as more acceptable.
5. **Young workforce.** Workers new to the work world may be less aware of laws and norms for acceptable behavior.
6. **Workplaces with “high value” employees.** Management may be less likely to challenge the behavior of “valuable” employees.
7. **Workplaces with significant power disparities.** Low- status employees can be easily exploited.
8. **Workplaces that rely on customer service or client satisfaction.** Employees may stay silent if a complaint may result in loss of a customer.
9. **Workplaces where work is monotonous or consists of low-intensity tasks.** Harassing behavior may become a way to vent frustration or avoid boredom.
10. **Workplaces that tolerate or encourage alcohol consumption.** Alcohol reduces social inhibitions and impairs good judgement.
11. **Decentralized or isolated workplaces.** When corporate offices are far removed from front-line employees or first-line supervisors, harassing behavior may more easily go unabated.

The EEOC report also concluded that TRAINING is an essential component of an anti-harassment effort. A good part of the report centered on effective Harassment Prevention training and the imperative to train managers and front-line supervisors. The consensus is live, interactive delivery is preferred over online training and successful training is comprised of the following elements:

* Using examples and scenarios that realistically involve situations that are specific to the workplace.
* Clarifying what conduct is harassment and what behavior does not rise to the level of illegal harassment.
* Educating employees on their rights and responsibilities if they experience harassment.
* Describing the formal complaint process and the confidentiality the complainant can expect.
* Providing managers and supervisors with easy-to- understand methods for dealing with harassment that they observe, is reported to them, or of which they have knowledge.

Finally, employers that have limited assets should invest in training middle managers as “these are the people who make all of the difference in the day-to-day lives of organizations and people.”

The good news is Archbright has delivered LIVE *Workplace Harassment Awareness* training for the last 15 years that meets all the criteria recommended by the Report. Contact your Archbright Account Representative to find out how we can help. Your organization would be well- served by educating your managers on the principles of a respectful workplace.

**Source:** Jo Powers, Director, HR Strategies & Practices

**Post-Injury/Accident Drug Testing Policies at Risk**

Effective August 10, 2016, the Occupational Safety and Health Administration (OSHA) will scrutinize employers’ post- injury/accident drug testing policies. New anti-retaliation rules require employers to maintain injury and accident reporting procedures that are reasonable and that do not deter or discourage employees from reporting.

In commentary to the new rules, OSHA indicated that blanket post-injury/accident drug testing has the potential to deter reporting of workplace injuries and accidents. Because such testing is often perceived as an invasion of privacy, employees may choose not to report an injury to avoid being drug tested.

Under this new scrutiny, post-injury/accident drug testing will pass muster if it is limited to only those injuries/accidents for which there is reasonable suspicion to believe that they were caused by an employee’s impairment. Additionally, such testing must be limited to identifying very recent use, indicating an employee’s impairment during the injury/accident. More expansive post-injury/accident testing will likely be considered retaliatory by OSHA, unless it is done pursuant to another state or federal law or regulation (such as those enforced by the Department of Transportation).

Archbright has updated its sample drug testing policies to comply with this new rule. Serving as additional motivation for employers to update their policies accordingly, OSHA’s maximum penalties for violations will also increase on August 1, from $7,000 to $12,471 for non-willful violations and from $70,000 to $124,712 for willful violations.

**Source:** Erin Jacobson, Staff Counsel at Archbright

**Referral, Sign-on, Spot, and Retention Bonus Programs Continue to Rise**

The use of referral, sign-on, spot and retention bonus programs continues to rise as organizations seek other forms of cash compensation to reward employees, according to a new survey released by WorldatWork. The survey, “Bonus Programs and Practices,” reveals a modest increase between 2014 and 2016, with more than 60 percent of respondents indicating that bonus programs positively affect employee engagement, motivation, and satisfaction.

Key survey findings include:

* Sign-on bonus programs are the most prevalent bonus programs today, with 76 percent of organizations using this bonus method.
* 32 percent of organizations use all four types of bonus programs, while the remaining 10 percent of organizations have no bonus programs in place.
* While many organizations do not budget for bonus programs (particularly sign-on and retention bonuses), 55 percent of companies do budget for their spot bonus programs, and 44 percent budget for referral bonuses.
* Sign-on and retention bonuses are least prevalent among small organizations (fewer than 100 employees) and most prevalent among larger organizations (greater than 20,000 employees).
* Private-sector, publicly traded companies use all bonus types more than other sectors, with sign-on bonuses being the most prevalent.

**About the survey.** For the purposes of the survey, each type of bonus was defined as follows:

* Referral bonus — a cash award paid to a current employee for referring a successfully hired job applicant.
* Sign-on bonus — a cash bonus given at the beginning of a service period, usually for accepting an employment offer.
* Spot bonus — a type of informal recognition that is delivered in cash, spontaneously or “on-the-spot.”
* Retention bonus — a cash award typically tied to length of service or some other milestone.

Source: WorldatWork

**HR FAQ**

**Question:** We have all our new hires, on their first day of employment, sign a form confirming they have received and READ our employee handbook. Truthfully, our handbook is 40 pages long and they are not reading it before they sign the form. Is this a problem?

**Answer:** Yes it is. It’s a process that forces them to lie. Almost all new hires will comply with this request as refusing to sign is not in the best interest of the employee on the first day of a job. Virtually, the only employee who will ever read a handbook in its entirety is the HR manager. Most employees use the handbook solely as a reference when they have questions on benefits or work rules.

The primary reason to have an acknowledgment form is to establish that the employee has received notice of provisions contained in the employee handbook.

Without one, employees could argue that they did not receive a copy of the handbook and therefore could not be held accountable for knowledge of its contents.

Even an employer who insists the handbook be read and allows hourly employees to take the handbook home to complete the task is incurring compensable time. The best solution is to change the wording on the form and ask employees to acknowledge they have received a copy of the handbook and to recognize and accept the responsibility to familiarize themselves with the information contained therein.

Sample Handbook Acknowledgement forms are found on Archbright’s Members Only website under the HR Toolkit. There is also a KeyNote entitled ***Handbook Starter Kit*** for a list of recommended handbook policies.

**Short on time? Not located near an Archbright office? Sick of Seattle-area traffic?**

Archbright University Virtual Classroom training gives you all the benefits of live classroom training—the opportunity to ask questions, practice sessions, and learning from peers in different industries—but without the hassles of travel and traffic. Our Virtual Classroom training sessions are fully participatory, so sign up, log in, and start learning!

* Aug. 8 | 8am-12pm | Driving Change
* Aug. 25 | 8am-12pm | Communicating with Impact
* Sept. 8 | 8am-12pm | Driving Change
* Sept. 19 | 1pm-5pm | Addressing Poor Performance

**Longer Lives Leading to Longer Careers**

Has anyone ever asked you what you would do differently in your life right now if you knew you only had six months left to live? Perhaps you’ve asked yourself that question and found a whole new perspective that inspired you to make significant lifestyle or other personal changes.

But what if the question was to imagine that you’re going to live to be 100 years of age – now what would you do differently? And what about the next 10, 30, or 50 years? How does that change your thinking about your present career? Next career? Retirement?

It may not be such a far-fetched proposition. According to statistics gathered by the Social Security Administration:

* a man reaching age 65 today can expect to live, on average, until age 84.3
* a woman turning age 65 today can expect to live, on average, until age 86.6

And those are just averages – around one out of every four 65-year-olds today will live past age 90, and one out of 10 will live past age 95.

Add into the mix recent research by the Mayo Clinic in which the elimination of specific age-related cells in mice resulted in extending the healthy lifetime of normal mice by 25%. If it turns out that a similar treatment is viable for people, a 100- year average human lifespan might become a reality sooner than we think.

As intriguing—or troubling—as you may find that possibility (and setting aside for now the massive social ramifications), it carries far-reaching implications for us as individuals in terms of our experiences with careers, family, life transitions, retirement plans, and so much more.

As workplace leaders anticipating a change of this magnitude, it should challenge many of our assumptions about our most senior employees. While much depends on the individual and the nature of the work they perform – for example, the declining physical abilities that often accompany the aging process will prompt modifications to the workplace and how, when, and where work gets done. Such adaptations will also make it possible for workers to extend their productive years of employment well beyond what we consider “normal” today.

The notion of an expanded lifespan raises so many opportunities and challenges… what might it mean for your organization in the years ahead?

**Source:** Susan Brandt, Director, HR Solutions at Archbright

**Come and Visit Us at NHRMA!**

Archbright is a proud sponsor of the 78th Annual NHRMA Conference and Tradeshow. This year’s event will be held September 7 – 9 at Meydenbauer Center in Bellevue, WA. Stop by our booth 213/215 to connect with your Archbright Team and attend a breakout session led by Archbright experts:

* Kellis Borek, Vice President of Labor & Employment Services, will present “Legal Joint Employment Issues Update for 2016” on Friday, September 9 from 8:30am to 10:00am.
* Krisann Hatch, Regional Manager of HR Solutions, will present “Bye Bye Boomers: Succeeding with Succession Planning” on Friday, September 9 from 8:30am to 10:00am.

If you haven’t registered for NHRMA yet, there’s still time to do so! Go to nhrmaconference.org/2016 for more information. We hope to see you there!

**Save Money Through Return to Work**

According to the Bureau of Labor and Statistics, in 2014 there was over 1.1 million workplace injuries and illnesses with days away from work in the United States. When employees experience illness or injury, it often impacts their ability to perform their jobs. In cases where an employee is out of work due to illness or injury, it’s in everyone’s best interest to have the employee return to work in some capacity as soon as possible.

Return to work strategies and programs have traditionally been focused on controlling workers’ compensation costs; however, they can do much more – they can improve productivity and morale across an organization, they can save employers time and money and they can protect against a loss of talent. Examples of effective return-to-work strategies include offering the opportunity to temporarily modify job duties, modify schedules, work part time, and implement reasonable accommodations.

Efforts such as these can help employees return to work sooner, even while still recovering. This allows the employee to protect their earning power while at the same time boosting the organization’s productivity. Furthermore, in many instances, the ability to return to work after an injury or illness plays an important role in the recovery process.

Employers can also benefit financially from bringing workers back to work quickly. In addition to controlling claims costs, which can impact insurance rates and protect Retro reimbursements for employers who participate in Retrospective Rating Programs, employers can also be reimbursed 50% of the base wages paid to the injured worker, and for some of the training, tools, or clothing that the worker might need to do the light-duty or transitional work. To date, Archbright has helped members who participate in our Workers’ Compensation program recover reimbursements totaling:

Archbright Group Retro $2,593,762.62

TCCC Group Retro $146,609.32

Non-Retro $435,780.87

Individual Retro $220,347.41

**Total $3,396,500.22**

For more information on Return to Work, one of Archbright’s Workers’ Compensation Programs, or for general safety questions, please call 206.329.1120, 509.381.1635, or email info@archbright.com.

**Monthly Webinar**

**Archbright’s 8 Elements of an Effective Safety Program Series**

**Element #6 - Identifying Hazards**

**Thursday, August 18th 2:15 p.m.**

Topics we will cover in Element #6 in our series; Identifying Hazards:

* Types of hazards
* How to identify hazards to mitigate risk
* Utilizing the other elements to assist in hazard identification
* The Job Hazard Analysis (JHA) process

This monthly webinar is complimentary for all members of our Workers’ Compensation and Retrospective Rating Programs. Attendees will receive an email approximately one week before the webinar with participation and login information. For questions or more information on our webinar training, please contact safety@archbright.com.

For those not enrolled in our Workers’ Compensation or Retrospective Rating Programs, there is a $49.95 fee. Please contact info@archbright.com for registration information.

“Successful change comes from focusing on building the new, not fighting the old.”

**Did You Know?**

Claims Free Discount

Employers qualify for a claims-free discount after three years without a “compensable” claim (a claim involving time-loss or a permanent disability award).

The discount saves employers between 10-40% from the base insurance rate for their risk class, depending on the company size.

A single compensable claim will eliminate the claims free discount. Losing the discount may be more costly than preventing time-loss (through return to work options) or keeping the injured employee on your payroll.

**Please Notify Us of Staff Changes.** Please take a moment to contact us to correct any staffing changes for your organization, including email addresses. Email us at info@archbright.com.

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We welcome your comments and suggestions.

Email: info@archbright.com | Seattle Office: P.O. Box 12068; Seattle, WA 98102

Phone: 206.329.1120 | Web: www.archbright.com